

**STATE OF WASHINGTON
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE GAMBLING COMMISSION**

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**GAMBLING COMMISSION
COMM & LEGAL DIVISION**

In the Matter of the Suspension or
Revocation of the Licenses to
Conduct Gambling Activities of:

TYSON M. CLARK

Docket No. 2010-GMB-0015
GC No. CR 2010-00061

DEFAULT ORDER

Licensee.

On February 4, 2010, the Commission mailed to the Licensee its Findings of Fact, Conclusions of Law, and Order of Summary Suspension of License. Mr. Clark holds license number 68-15539, authorizing card room activity. The Washington State Gambling Commission issued the license. Mr. Clark requested a stay hearing. ALJ Rogers entered an Order Denying Stay on March 5, 2010.

This prehearing conference was first scheduled, pursuant to notice previously given, for Wednesday, April 7, 2010 as a telephonic hearing. The parties agreed to continue the prehearing conference until Wednesday, June 16, 2010, again as a telephonic hearing.

The prehearing conference was reconvened telephonically on June 16, 2010, at 9:15 AM. Bruce Marvin, Assistant Attorney General, appeared and represented the Washington State Gambling Commission ("the Commission"). Tyson M. Clark, the Licensee, failed to appear. John M. Gray, Administrative Law Judge, conducted the prehearing conference.

The Assistant Attorney General and the Administrative Law Judge John Gray agreed to continue this matter for a second time due to the possibility that Mr. Clark did not receive the Order of Continuance issued April 7, 2010. By order dated June 22, 2010, the prehearing conference was rescheduled for July 6, 2010, at 9:15 AM, again as a telephonic conference.

Administrative Law Judge John M. Gray conducted the telephonic prehearing conference on July 6, 2010, at 9:15 AM, in the matter of the revocation of the gambling license of Tyson M. Clark ("Mr. Clark"). The Washington State Gambling Commission (Commission) was represented by H. Bruce Marvin, Assistant Attorney General. Mr. Clark failed to appear at the July 6, 2010, prehearing conference. The Order Continuing Prehearing Conference instructed the parties how to call in for the telephonic conference. The Order informed the parties that the conference would include discussion of simplifying the issues for hearing, documentary evidence, stipulations, setting the date and time of the hearing, the mode, and hearing length, and any other issues appropriate for prehearing disposition. The Order also informed the parties that "[i]f you fail to appear or participate in the pre-hearing conference, hearing, or any other scheduled stage of these proceedings, you may lose your right to a hearing as described in RCW 34.05.440.

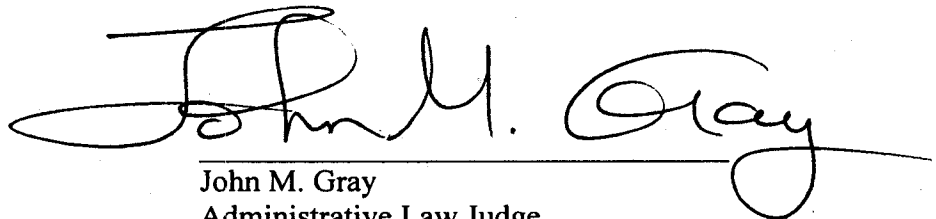
RCW 34.05.440(2) provides that a presiding officer may serve upon all parties a default or other dispositive order if a party fails to attend or participate in a hearing or other stage of an adjudicative proceeding, other than failing to timely request an adjudicative proceeding as set out in subsection (1) of this section. A prehearing conference is an "other stage[s] of an adjudicative proceeding."

NOW, THEREFORE:

INITIAL ORDER

IT IS ORDERED THAT the Licensee, Tyson M. Clark, is in DEFAULT. A request that this order be vacated must be filed within seven days of service of this order, stating the grounds relied upon. RCW 34.05.440(3).

DATED at Olympia, Washington, this 7th day of July, 2010.



John M. Gray
Administrative Law Judge
Office of Administrative Hearings

Copy mailed to:

Tyson M. Clark
4702 Davis Ave. S., #DD-303
Renton, WA 98055

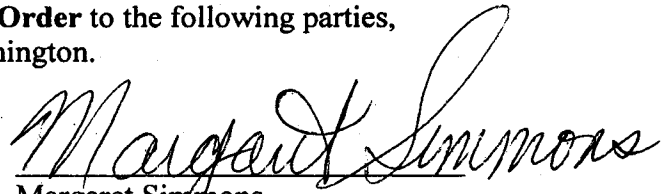
Tyson M. Clark
11626 SE 238th St.
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Olympia WA 98504-0100

Washington State Gambling Commission
Communications and Legal Department
PO Box 42400
Olympia WA 98504-2400

Certification of Mailing

I certify that I mailed true and exact copies of the **Default Order** to the following parties,
postage prepaid this 7th day of July 2010 at Olympia, Washington.


Margaret Simmons
Legal Secretary

Tyson M. Clark
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Renton, WA 98055

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